

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jiliang TANG et al.

Application No.: 10/581,099

Filed: (Int'l) December 1, 2004

For: A GENE ENCODING  
PHOSPHOENOLPYRUVATE SYNTHASE  
FOR PLANT PROTECTION (AS AMENDED)

Confirmation No.: 5385

Art Unit: 1638

Examiner: M. Ibrahim

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action dated September 18, 2008, for which a response is due on October 20, 2008 (since October 18, 2008 is a Saturday). Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.